FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO.8506 OF 2005

Brijbhusan Sharma ..Applicant
(Org.Accused No.4)

V/s.

The State of Maharashtra & Ors. ..Respondents

Mr.Amin Solkar i/by Mr.Amit A. Jambotkar for the applicant.

Mr.S.S.Tatkare, APP for Respondent/State.

Coram : R.S.Mohite,J
(Vacation Judge)

Date : 2nd January, 2006.

PC

1. It appears from the record that by an order dated 15.4.2005 the accused was released on PR bond of Rs.10,000/- with surety in the like amount in Case no.142/SW/2004. The complainant filed an application for enhancement of amount and by an order dated 21.6.2005 the Court, in the absence of the accused passed an order rejecting the prayer of the applicant to furnish surety. In the application, the prayer made was for enhancement of

surety from Rs.10,000/- to Rs.1,00,000/-. By the further order dated 2.12.2005 it has been ordered by the Metropolitan Magistrate, 37th Court, Mumbai that the bail order passed on 15.4.2005 was varied and the application for furnishing surety was rejected. In my view, this is a mis-reading of the order dated 21.6.2005 read with earlier order dated 15.4.2005. Learned Advocate for the applicant states that he will willing to enhance surety in the sum of Rs.25,000/-.

2. In the circumstances, by supersession of earlier orders, it is directed that the applicant may be released on bail in Case no.142/SW/2004 in the sum of Rs.25,000/- with one surety in the like amount. Application stands disposed of.

(R.S.Mohite,J)